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February 13, 2003

ATTORNEY DOCKET NO.: JHU1530-3

ATTN: BOX CPA  
Commissioner for Patents  
Washington, D.C. 20231

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This paper is a request for a **Continued Prosecution Application** under 37 C.F.R. § 1.53(d) of:

Applicant: **PAUL P. WORLEY and ANTHONY LANAHAN**  
Title: **IMMEDIATE EARLY GENES AND METHODS OF USE THEREFOR**  
Prior U.S. Application No.: **09/245,277**  
Filing date: **February 5, 1999**

The prior application is complete as defined by 37 C.F.R. § 1.51(b), or is a national stage of an international application filed in compliance with 35 U.S.C. § 371.

This request for a CPA is the reference to the prior application noted above as required by 35 U.S.C. § 120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

The prior application is assigned of record to The Johns Hopkins University School of Medicine, by virtue of an Assignment submitted to the Patent and Trademark Office for recording July 1, 1999, at reel 010064, frame number 0489.

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I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: ATTN: BOX CPA, Commissioner for Patents, Washington, D.C. 20231

**MIKHAIL BAILEY**

(Name of Individual Depositing with P.O.)

*Mikhail Bailey*  
(Signature of Individual Depositing with P.O.)

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This request includes THREE sheets and the following:

- Preliminary Amendment (7 pages)
- Check No. 529860 in the amount of \$453.00
- Return Postcard

The entire disclosure of the prior application is considered as being part of the disclosure of accompanying application and is incorporated by reference.

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	47	43	4	x \$09	x \$18	\$36.00
Independent Claims	14	13	1	x \$42	X \$84	\$42.00
Multiple Claims				\$140	\$280	\$ 0.00
Basic Filing Fee				\$370	\$740	\$375.00
					TOTAL FEE	\$453.00

Enclosed is Check No. 529860 in the amount of \$453.00 which includes \$375.00 as the basic CPA filing fee; \$36.00 as fee for the four additional claims; and \$42.00 for one additional independent claims. The Commissioner is hereby authorized to charge the extra claim fees and any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A copy of the Transmittal Letter is enclosed.

**GRAY CARY WARE & FREIDENRICH LLP**

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If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.


Kindly acknowledge receipt of this application by returning the enclosed postcard.

All future correspondence should be addressed to:

**Lisa A. Haile, J.D., Ph.D.**  
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Telephone: (858) 677-1456  
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Respectfully submitted,

**GRAY CARY WARE & FREIDENRICH LLP**

  
\_\_\_\_\_  
Lisa A. Haile, J.D., Ph.D.  
Registration No. 38,347

\_\_\_\_\_  
February 13, 2003  
Date

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**USPTO Customer Number 28213**

Enclosure  
KKR/kdl